

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

YOHONIA MARTIN,  
Plaintiff,

v.

REDWOOD CITY LIBRARY,  
Defendant.

Case No. 15-cv-01988-KAW

**ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE**

Yohania Martin ("Plaintiff"), who proceeds pro se, commenced the above-captioned case on May 1, 2015. (Compl., Dkt. No. 1.) Plaintiff also filed an application to proceed in forma pauperis. (Pl.'s IFP Appl., Dkt. No. 2.) She has consented to the undersigned's jurisdiction pursuant to 28 U.S.C. § 636(c). (Pl.'s Consent, Dkt. No. 3.)

On May 14, 2015, the Court granted the application to proceed in forma pauperis and dismissed the complaint with leave to amend. (May 14, 2015 Order, Dkt. No. 5.) In the order, the Court instructed Plaintiff to file an amended complaint within 30 days. (*Id.*) As of the filing of this order, Plaintiff has not filed an amended complaint, though she has filed a number of other documents. *See, e.g.*, Dkt. No. 8 (notice of need for ADR phone conference), Dkt. No. 9 (notice of need for mediation), Dkt. No. 10 (ADR certification of discussion of ADR options), Dkt. No. 11 (stipulation and proposed order selecting ADR process), Dkt. No. 12 (subpoena to produce documents), Dkt. No. 13 (certificate of service), Dkt. No. 14 (certificate of service), Dkt. No. 15 (notice of lawsuit and request to waive service of summons).

Federal Rule of Civil Procedure 41(b) permits the involuntary dismissal of an action or claim due to a plaintiff's failure to prosecute. *See Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962) ("authority of a court to dismiss sua sponte for lack of prosecution has generally been

1 considered an 'inherent power')). As Plaintiff has not filed an amended complaint as required by  
2 the Court's May 14 Order, Plaintiff is ordered to show cause why this case should not be dismissed  
3 for failure to prosecute. Plaintiff shall file a written response to this order with 14 days. The  
4 Court may dismiss this action if Plaintiff fails to file a written response.

5 The case management conference currently set for August 4, 2015 is CONTINUED to  
6 November 3, 2015.

7 IT IS SO ORDERED.

8 Dated: 07/20/2015

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10 KANDIS A. WESTMORE  
11 United States Magistrate Judge  
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